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EXAMINER	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/671,957
Filing Date: September 27, 2000
Appellant(s): CHEN, INCHING

Timothy Trop
Reg. No. 28,994
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/11/08 appealing from the Office action mailed 9/28/07.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,557,332	Koyanagi et al.	9-1996
6,553,150	Wee et al	4-2003

6,807,550 Li et al 10-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim 4-6 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyanagi et al. (5557332), (hereinafter referred to as “Koyanagi”) in view of Wee et al. (6553150), (hereinafter referred to as “Wee”).

Regarding claims 4 and 33, Koyanagi discloses an apparatus for parallel decoding prediction-coded video signals (Koyanagi: column 1, lines 10-12). This apparatus comprises "decoding a picture into a plurality of slices having a set of slices at least partially within an area of the picture" (Koyanagi: column 6, lines 34-45, wherein the set of slices are the set of three slices which are decoded (the second, sixth, and tenth slice)), "decoding the set of slices into a plurality of macroblocks" (Koyanagi: figure 2), and "decoding the macroblocks into pixels" (Koyanagi: column 10, lines 50-55). However, this apparatus lacks not decoding the plurality of slices as claimed. Wee teaches that prior art computing systems must entirely decompressed/decoded a video signal even if only a small part of the signal is being edited (Wee: column 2, lines 4-10). To help alleviate this problem, Wee discloses only decoding a set of slices (Wee: column 24, lines 39-53). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Koyanagi and add the decoding taught by Wee in order to obtain an apparatus that

operates more efficiently by only decoding the necessary slices of the image thus reducing the computation time on the processor.

Regarding claims 5 and 34, Wee discloses "the area is a region of interest" (Wee: column 10, lines 45-59, wherein the region of interest is the object).

Regarding claims 6 and 35, Koyanagi discloses "displaying the decoded set of macroblocks" (Koyanagi: figure 15, item 124).

Claims 7-9, 13, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al. (6496607), (hereinafter referred to as "Krishnamurthy") in view of Li et al. (6807550), (hereinafter referred to as "Li").

Regarding claims 7 and 36, Krishnamurthy discloses an apparatus that identifies and uses regions of interest to provide functionalities (Krishnamurthy: column 1, lines 8-12). This apparatus comprises "creating and transmitting a substream from a stream, the substream corresponding to a region of interest" (Krishnamurthy: figure 1, column 4, lines 32-67 - column 5, lines 1-17, wherein the stream is the input sequence). However, this apparatus lacks creating and sending the second substream to a second recipient. Li teaches that prior art image processing systems have fallen short for providing a desirable user experience (Li: column 2, lines 33-37). To help alleviate this problem, Li discloses "creating a second MPEG substream that is different than the first ROI" (Li: column 12, lines 30-51) and "transmitting the substream to a second recipient"

(Li: figure 2, wherein multiple clients are shown receiving the substreams). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the system taught by Li in order to obtain an apparatus that becomes more versatile by being able to transmit data to a plurality of different users and provide the users with a desirable experience.

Regarding claims 8 and 37, Krishnamurthy discloses "synchronizing display of the substream with a second substream" (Krishnamurthy: figures 1 and 4, column 6, lines 39-44, wherein the buffers synchronize many streams).

Regarding claims 9 and 38, Krishnamurthy discloses "the creation and transmission of the substreams are performed in a lock step manner" (Krishnamurthy: figures 1-3, column 4, lines 32-67 - column 5, lines 1-17, wherein the lock-step manner is the creation and synchronization).

Regarding claim 13, note the examiners rejection for claim 4, and in addition Li discloses "transmitting the plurality of new pictures to a plurality of nodes" (Li: figure 2, wherein the plurality of nodes are the plurality of clients) and "commanding the nodes to display the picture" (Li: figures 1-2, wherein the clients receive the data for subsequent display).

(10) Response to Argument

i. On pages 9-10, appellant argues that Koyanagi in view of Wee fail to disclose decoding at least the set of macroblocks but not the plurality of macroblocks into pixels.

Wee discloses in column 17, lines 20-30, decoding only select image slices according with start and end points. Wee further discloses in column 21, lines 45-50 and column 24, lines 39-53, only decoding certain regions. By only decoding certain regions, Wee is decoding a set of the macroblocks. Wee also discloses in column 26, lines 30-35, decoding only the last four macroblocks of the last two lines. By only decoding the last four macroblocks of the last two lines, Wee is decoding a set of the blocks, but not the plurality of macroblocks.

ii. On pages 10-11, appellant argues that there is no motivation or suggestion to combine Koyanagi and Wee.

Wee discloses in column 2, lines 4-10, that prior art computing systems must entirely decompress/decode a video signal even if only a small portion of a frame is being edited. Koyanagi discloses in column 6, lines 13-25 processing data on a slice by slice basis. Since both Wee and Koyanagi are within the same field of endeavor and contain similar subject matter, the combination is deemed proper.

iii. On page 11, appellant argues that the rejection of Krishnamurthy in view of Li is not legally sufficient due to the lack of evidence from Krishnamurthy.

The statement made by the examiner "note the examiners rejection for claim 4" was a copy and paste mistake. Please see the Office Action dated 9/6/05 (copied below) indicating the necessary portions of Krishnamurthy relied upon by the examiner.

Krishnamurthy discloses an apparatus that identifies and uses regions of interest to provide functionalities (Krishnamurthy: column 1, lines 8-12). This apparatus comprises "creating and transmitting a substream from a stream, the substream corresponding to a region of interest" (Krishnamurthy: figure 1, column 4, lines 32-67 – column 5, lines 1-17, wherein the stream is the input sequence).

iv. On pages 11-12, appellant argues that Li fails to disclose creating a second stream corresponding to a second region of interest that is different than the first region of interest and transmitting the second substream to a second recipient that is different from the first.

Li discloses in column 12, lines 30-38, that a user may interact with the browser to change the region of interest. By changing the region of interest Li is creating a second substream with the different region of interest to send to the client. Li further illustrates in figure 2, sending the substreams to multiple clients. Further, sending streams to multiple different clients is a process that is well known in the art. Hence, Li discloses creating a second stream corresponding to a second region of interest that is different than the first region of interest and transmitting the second substream to a second recipient that is different from the first

v. On page 13, appellant argues that there is no motivation or suggestion to combine Krishnamurthy and Li.

Li discloses in column 2, lines 33-37, that prior art image processing systems have fallen short for providing a desirable user experience. To help alleviate this problem, Li disclose an apparatus that deals with the processing of region of interests. Krishnamurthy discloses in figure 2, a processing system that uses region of interests. Since both Krishnamurthy and Li are within the same field of endeavor and contain similar subject matter, the combination is deemed proper.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

(12) Evidence Appendix

No evidence has been submitted that is relied upon by appellant.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Dave Czekaj/

Examiner, Art Unit 2621

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